

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

*In re BAYCOL PRODUCTS LITIGATION*

MDL NO. 1431  
(MJD/SRN)

This Document Relates to:

**ORDER**

*Robert Brotherton et al., v. Bayer Corp., et al.*  
*(Plaintiff Walter Thomas Patton only)*

Case No. 03-4709

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated April 25, 2007. Plaintiff has objected to the Report and Recommendation, and Defendant has responded to said objection.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Walter Thomas Patton [Doc. No. 7] is GRANTED;
2. Plaintiff Walter Thomas Patton's action is DISMISSED WITH PREJUDICE; and
3. Plaintiff's counsel is required to pay the sum of \$189.30 to Bayer Corporation within 10 days of the District Court's Order.

DATED: August 3, 2007

s / Michael J. Davis  
Judge Michael J. Davis  
United States District Court Judge